



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**UNINTERRUPTIBLE POWER PRODUCTS, INC.**  
**ATTN: GARY JUNGWIRTH**  
**1567 W. 11TH DRIVE**  
**FRIENDSHIP, WI 53934**

**COPY MAILED**  
**MAR 16 2010**

In re Patent No. 6, 112,136	:	
Issue Date: August 29, 2000	:	
Application No. 09/079,298	:	ON PETITION
Filed: May 12, 1998	:	
Attorney Docket No. M-553	:	

**REQUIREMENT FOR INFORMATION**

This is a second request for Requirement for Information.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within ONE (1) MONTH or THIRTY (30) DAYS, from the mail date of this decision. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b).

This patent expired on August 30, 2008, for failure to pay the 7 ½ year maintenance fee. On October 20, 2008, a petition under 37 CFR 1.378(c) was filed; however, the petition was dismissed on November 17, 2008. On April 30, 2009, a letter including a Statement Under 3.73(b) was filed; in turn, a Requirement for Information was mailed July 15, 2009. The petitioner filed a "Response to Requirement for Information" on July 21, 2009. However, the response still does not constitute as a proper reply under the requirements of 37 CFR 1.378(c) and 37 CFR 3.73(b).

The petitioner still has not established that the person who signed the petition form, Gary Jungwirth, is authorized to sign on behalf of the assignee, or other party of interest. Further, the Statement Under 3.73(b) <sup>1</sup> cannot be accepted since it does not specify the Reel and Frame number that identifies Uninterruptible Power Products, Inc., as the assignment <sup>2</sup> of record.

<sup>1</sup> 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.

<sup>2</sup> Assignment Branch Department (571) 272-3350 (contact the Assignment Branch for assignment related inquiries)

**Any petition for reconsideration of this decision must be accompanied by a new petition form PTO/SB/66 under 37 CRR 1.378(e) and also must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.**

If petitioner does not wish to pursue reinstatement of this expired patent, petitioner may request a refund of the \$1,240 maintenance fee and the \$1,640 surcharge fee submitted with the petition. The request should be made in writing and addressed to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.

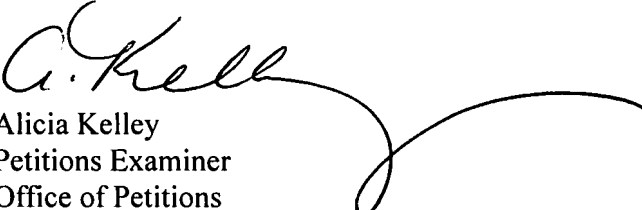
Further correspondence with respect to this matter should be addressed as follows:

By Mail:                      Mail Stop PETITION  
                                    Commissioner for Patents  
                                    Post Office Box 1450  
                                    Alexandria, VA 22313-1450

By Hand:                    U. S. Patent and Trademark Office  
                                    Customer Service Window, Mail Stop Petitions  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6059.

  
Alicia Kelley  
Petitions Examiner  
Office of Petitions